रजिस्ट्री सं. डी-(डी)-72 REGISTERED No. D-(D)-72

भारत का राजपत्र
The Gazette of India

असाधारण
EXTRAORDINARY
भाग II—खण्ड 2
PART II—Section 2
प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं० 5] नई दिल्ली बृहस्पतिवार, जनवरी 24, 1985/माघ 4, 1906
No. 5] NEW DELHI, THURSDAY, JANUARY 24, 1985/MAGHA 4, 1906

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके ।
Separate paging is given to this Part in order that it may be filed as a separate compilation

12/1/85

LOK SABHA

The following Bills were introduced in Lok Sabha on the 24th January, 1985:—

BILL No. 15 OF 1985

A Bill to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services during the financial year ended on the 31st day of March, 1983, in excess of the amounts granted for those services and for that year.

BE it enacted by Parliament in the Thirty-fifth Year of the Republic of India as follows:—

1. This Act may be called the Appropriation (No. 2) Act, 1985. Short title.

Issue of Rs. 299,52,75,824 out of the Consolidated Fund of India to meet certain excess expenditure for the year ended on the 31st March, 1983.

2. From and out of the Consolidated Fund of India, the sums specified in column 3 of the Schedule, amounting in the aggregate to the sum of two hundred and ninety-nine crores, fifty-two lakhs, seventy-five thousand, eight hundred and twenty-four rupees shall be deemed to have been authorised to be paid and applied to meet the amount spent for defraying the charges in respect of the services specified in column 2 of the Schedule during the financial year ended on the 31st day of March, 1983, in excess of the amounts granted for those services and for that year.

Appropriation.

3. The sums deemed to have been authorised to be paid and applied from and out of the Consolidated Fund of India under this Act shall be deemed to have been appropriated for the services and purposes expressed in the Schedule in relation to the financial year ended on the 31st day of March, 1983.

THE SCHEDULE

(*See* sections 2 and 3)

1	2		3		
			Excess		
No. of Vote	Services and purposes		Voted portion	Charged portion	Total
			Rs.	Rs.	Rs.
12	Foreign Trade and Export Production	Capital	88,62,53,673	..	88,62,53,673
18	Capital Outlay on Posts and Telegraphs	Capital	91,30,48,798	..	91,30,48,798
20	Defence Services—Army . . .	Revenue	115,88,13,416	..	115,88,13,416
22	Defence Services—Air Force . .	Revenue	1,48,28,226	..	1,48,28,226
28	Archaeology . .	Revenue	3,97,476	..	3,97,476
32	Ministry of Finance	Revenue	65,78,429	..	65,78,429
35	Taxes on Income, Estate Duty, Wealth Tax and Gift Tax	Revenue	1,44,091	..	1,44,091
42	Other Expenditure of the Ministry of Finance . .	Capital	..	*29,626*	29,626
56	Dadra and Nagar Haveli . .	Revenue	1,68,214	..	1,68,214
57	Lakshadweep .	Capital	60,564	..	60,564
64	Ministry of Irrigation . . .	Revenue	52,97,716	..	52,97,716
91	Public Works .	Revenue	..	*15,194*	15,194
94	Stationery and Printing . . .	Revenue	55,99,399	..	55,99,399
98	Department of Electronics . .	Capital	40,39,002	..	40,39,002
	TOTAL . .		299,52,31,004	*44,820*	299,52,75,824

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of article 114(1) of the Constitution of India read with article 115 thereof, to provide for the appropriation out of the Consolidated Fund of India of the moneys required to meet the expenditure incurred in excess of the appropriations charged on the Fund and the grants made by the Lok Sabha for expenditure of the Central Government, excluding Railways, for the financial year ended on the 31st day of March, 1983.

VISHWANATH PRATAP SINGH.

PRESIDENT'S RECOMMENDATION UNDER ARTICLE 117 OF THE CONSTITUTION OF INDIA

[Copy of letter No. F. 4(70)-B(SE)/84, dated the 14th January, 1985 from Shri Vishwanath Pratap Singh, Minister of Finance to the Secretary-General, Lok Sabha].

The President, having been informed of the subject matter of the proposed Bill to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services during the financial year ended on the 31st day of March, 1983, in excess of the amounts granted for the said services and for that year recommends under clauses (1) and (3) of article 117 of the Constitution, read with clause (2) of article 115 thereof, the introduction of the Appropriation (No. 2) Bill, 1985, in Lok Sabha and also recommends to Lok Sabha the consideration of the Bill.

2. The Bill will be introduced in Lok Sabha after all the Demands for Excess Grants for 1982-83 are voted.

BILL NO. 14 OF 1985

A Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1984-85.

BE it enacted by Parliament in the Thirty-fifth Year of the Republic of India as follows:—

1. This Act may be called the Appropriation Act, 1985. Short title.

2. From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of one thousand two hundred and sixty-five crores, ninety-two lakhs and fifty-two thousand rupees towards defraying the several charges which will come in course of payment during the financial year 1984-85, in respect of the services specified in column 2 of the Schedule. Issue of Rs. 1265, 92,52,000 out of the Consolidated Fund of India for the year 1984-85.

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year. Appropriation.

THE SCHEDULE

(See sections 2 and 3)

1	2		3		
No. of Vote	Services and purposes		Sums not exceeding		
			Voted by Parliament	Charged on the Consolidated Fund	Total
			Rs.	Rs.	Rs.
2	Agriculture . .	Capital	699,63,00,000	..	699,63,00,000
5	Fisheries . . .	Capital	36,00,000	..	36,00,000
9	Ministry of Chemicals and Fertilisers. .	Revenue	150,04,08,000	..	150,04,08,000
		Capital	7,66,90,000	..	7,66,90,000
11	Foreign Trade and Export Production .	Revenue	1,000	..	1,000
25	Education . .	Revenue	17,13,20,000	..	17,13,20,000
38	Ministry of External Affairs . . .	Revenue	..	50,000	50,000
39	Currency, Coinage and Mint . . .	Revenue	..	70,000	70,000
42	Transfers to State Governments . .	Capital	..	150,00,00,000	150,00,00,000
43	Other Expenditure of the Ministry of Finance . . .	Revenue	6,01,000	..	6,01,000
46	Department of Civil Supplies . . .	Revenue	..	12,000	12,000
		Capital	2,000	..	2,000
48	Medical and Public Health . . .	Revenue	..	1,50,000	1,50,000
49	Family Welfare .	Capital	2,25,00,000	..	2,25,00,000
54	Other Administrative and General Services	Revenue	9,00,000	..	9,00,000
56	Delhi . . .	Capital	15,00,00,000	..	15,00,00,000
79	Ports, Lighthouses and Shipping . .	Capital	3,00,00,000	..	3,00,00,000
82	Department of Steel .	Capital	160,00,00,000	..	160,00,00,000
89	Public Works . .	Capital	2,000	..	2,000
91	Housing and Urban Development . .	Revenue	1,000	..	1,000
		Capital	42,00,000	..	42,00,000

1	2		3		
			Sums not exceeding		
No. of Vote	Services and purposes		Voted by Parliament	Charged on the Consolidated Fund	Total
			Rs.	Rs.	Rs.
94	Atomic Energy Research, Development and Industrial Projects .	Capital	43,34,00,000	..	43,34,00,000
95	Nuclear Power Schemes	Capital	..	78,00,000	78,00,000
96	Department of Electronics. . .	Capital	16,00,00,000	..	16,00,00,000
99	Department of Science and Technology .	Revenue	..	19,000	19,000
102	Department of Space	Revenue	..	26,000	26,000
105	Supplies and Disposals	Revenue	..	10,00,000	10,00,000
	TOTAL .		1115,01,25,000	150,91,27,000	1265,92,52,000

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of article 114(1) of the Constitution of India, read with article 115 thereof, to provide for the appropriation out of the Consolidated Fund of India of the moneys required to meet the supplementary expenditure charged on the Consolidated Fund of India and the grants made by the Lok Sabha for expenditure of the Central Government, excluding Railways, for the financial year 1984-85.

VISHWANATH PRATAP SINGH.

PRESIDENT'S RECOMMENDATION UNDER ARTICLE 117 OF THE CONSTITUTION OF INDIA

[Copy of letter No. F. 4(7)-B(SE)/85, dated the 15th January, 1985 from Shri Vishwanath Pratap Singh, Minister of Finance to the Secretary-General, Lok Sabha.]

The President, having been informed of the subject matter of the proposed Bill to authorise appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year ending on the 31st day of March, 1985, recommends the introduction of the Appropriation Bill, 1985 in Lok Sabha and also recommends to Lok Sabha the consideration of the Bill under article 117(1) and (3) of the Constitution read with article 115(2) thereof.

2. The Bill will be introduced in Lok Sabha after all the Supplementary Demands for Grants for 1984-85 have been voted.

BILL NO. 17 OF 1985

A Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1984-85 for the purposes of Railways.

Be it enacted by Parliament in the Thirty-sixth Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Appropriation (Railways) No. 2 Act, 1985.

Issue of Rs. 91,00,000 out of the consolidated fund of India for the financial year 1984-85.

2. From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of ninety-one lakhs rupees towards defraying the several charges which will come in course of payment during the financial year 1984-85, in respect of the services relating to Railways specified in column 2 of the Schedule.

Appropriation.

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

THE SCHEDULE

(*See* sections 2 and 3)

1	2	3		
No. of Vote	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
16	Assets- Acquisition, Construction and Replacement Other Expenditure .	91,00,000	..	91,00,000
	TOTAL . . .	91,00,000	.	91,00,000

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of article 114(1) of the Constitution of India, read with article 115 thereof, to provide for the appropriation out of the Consolidated Fund of India of the moneys required to meet the supplementary expenditure on the grants made by the Lok Sabha for expenditure of the Central Government on Railways for the financial year 1984-85.

BANSI LAL.

PRESIDENT'S RECOMMENDATION UNDER ARTICLE 117 OF THE CONSTITUTION OF INDIA

[Copy of letter No. 85-B-402, dated the 17th January 1985 from Shri Bansi Lal, Minister of Railways to the Secretary-General, Lok Sabha].

The President, having been informed of the subject matter of the proposed Appropriation Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1984-85 for the purposes of Railways, recommends under clauses (1) and (3) of article 117 of the Constitution of India read with clause (2) of article 115 thereof, the introduction in and consideration by Lok Sabha of the Appropriation Bill.

BILL NO. 16 OF 1985

A Bill to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services for the purposes of Railways during the financial year ended on the 31st day of March, 1983, in excess of the amounts granted for those services and for that year.

BE it enacted by Parliament in the Thirty-fifth Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Appropriation (Railways) Act, 1985.

Issue of Rs. 65,65,31,403 out of the Consolidated Fund of India to meet certain expenditure for the year ended on the 31st March, 1983.

2. From and out of the Consolidated Fund of India, the sums specified in column 3 of the Schedule amounting in the aggregate to the sum of sixty-five crores, five lakhs, thirty-one thousand and four hundred three rupees shall be deemed to have been authorised to be paid and applied to meet the amounts spent for defraying the charges in respect of the services relating to Railways specified in column 2 of the Schedule during the financial year ended on the 31st day of March, 1983, in excess of the amounts granted for those services and for that year.

Appropriation.

3. The sums deemed to have been authorised to be paid and applied from and out of the Consolidated Fund of India under this Act shall be deemed to have been appropriated for the services and purposes expressed in the Schedule in relation to the financial year ended on the 31st day of March, 1983.

THE SCHEDULE

(*See* sections 2 and 3)

1	2	3		
No. of Vote	Services and purposes	Sums aggregating to		
		Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
4	Repairs and Maintenance of Permanent Way and Works	2,92,26,650	..	2,92,26,650
5	Repairs and Maintenance of Motive Power	5,21,94,902		5,21,94,902
6	Repairs and Maintenance of Carriages and Wagons	1,41,17,922	.	1,41,17,922
10	Operating Expenses—Fuel	12,02,72,800	..	12,02,72,800
13	Provident Fund, Pension and Other Retirement Benefits	22,56,85,397	..	22,56,85,397
15	Dividend to General Revenues, Repayment of loan taken from General Revenues and Amortisation of Over-capitalisation	20,90,33,732	..	20,90,33,732
	TOTAL	65,05,31,403	..	65,05,31,403

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of article 114(1) of the Constitution of India, read with article 115 thereof, to provide for the appropriation out of the Consolidated Fund of India of the moneys required to meet the expenditure incurred in excess of the grants made by the Lok Sabha for expenditure of the Central Government on Railways for the financial year ended on the 31st day of March, 1983.

BANSI LAL.

PRESIDENT'S RECOMMENDATION UNDER ARTICLE 117 OF THE CONSTITUTION OF INDIA

[Copy of letter No. 85-B-403, dated the 17th January, 1985 from Shri Bansi Lal, Minister of Railways to the Secretary-General, Lok Sabha.]

The President, having been informed of the subject matter of the proposed Appropriation Bill providing for the appropriation out of the Consolidated Fund of India of the moneys required to meet the expenditure incurred on railways in excess of the grants made by Lok Sabha for 1982-83, recommends under clauses (1) and (3) of article 117 of Constitution, the introduction in and consideration by Lok Sabha of the Appropriation Bill.

BILL NO. 22 OF 1985

A Bill further to amend the Constitution of India.

BE it enacted by Parliament in the Thirty-fifth Year of the Republic of India as follows:—

Short title and commencement.

1. (*1*) This Act may be called the Constitution (Fifty-second Amendment) Act, 1985.

(*2*) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Amendment of article 101.

2. In article 101 of the Constitution, in sub-clause (*a*) of clause (*3*), for the words, brackets and figures "clause (1) of article 102", the words, brackets and figures "clause (1) or clause (2) of article 102" shall be substituted.

Amendment of article 102.

3. In article 102 of the Constitution,—

(*a*) for the brackets, figure and words "(2) For the purposes of this article", the words "*Explanation.*—For the purposes of this clause" shall be substituted;

(*b*) the following clause shall be inserted at the end, namely:—

"(*2*) A person shall be disqualified for being a member of either House of Parliament if he is so disqualified under the Tenth Schedule.".

Amendment of article 190.

4. In article 190 of the Constitution, in sub-clause (*a*) of clause (3), for the words, brackets and figures "clause (1) of article 191", the words, brackets and figures "clause (1) or clause (2) of article 191" shall be substituted.

Amendment of article 191.

5. In article 191 of the Constitution,

(*a*) for the brackets, figure and words "(2) For the purposes of this article", the words "*Explanation.*—For the purposes of this clause" shall be substituted;

(*b*) the following clause shall be inserted at the end, namely:—

"(2) A person shall be disqualified for being a member of the Legislative Assembly or Legislative Council of a State if he is so disqualified under the Tenth Schedule.".

Addition of Tenth Schedule.

6. After the Ninth Schedule to the Constitution, the following Schedule shall be added, namely:—

TENTH SCHEDULE

[Articles 102 (2) and 191 (2)]

Provisions as to disqualification on ground of defection

1. Interpretation.—In this Schedule, unless the context otherwise requires,—

(*a*) "House" means either House of Parliament or the Legislative Assembly or, as the case may be, either House of the Legislature of a State;

(*b*) "legislature party", in relation to a member of a House belonging to any political party in accordance with the provisions of paragraph 2 or paragraph 3 or, as the case may be, paragraph 4, means the group consisting of all the members of that House for the time being belonging to that political party in accordance with the said provisions;

(*c*) "original political party", in relation to a member of a House, means the political party to which he belongs for the purposes of sub-paragraph (1) of paragraph 2;

(*d*) "paragraph" means a paragraph of this Schedule.

2. Disqualification on ground of defection.—(1) Subject to the provisions of paragraphs 3, 4 and 5, a member of a House belonging to any political party shall be disqualified for being a member of the House—

(*a*) if he has voluntarily given up his membership of such political party; or

(*b*) if he votes or abstains from voting in such House contrary to any direction issued by the political party to which he belongs or

by any person or authority authorised by it in this behalf, without obtaining, in either case, the prior permission of such political party, person or authority; or

(*c*) if he has been expelled from such political party in accordance with the procedure established by the constitution, rules or regulations of such political party.

Explanation.—For the purposes of this sub-paragraph,—

(*a*) an elected member of a House shall be deemed to belong to the political party, if any, by which he was set up as a candidate for election as such member;

(*b*) a nominated member of a House shall, -

(*i*) where he is a member of any political party on the date of his nomination as such member, be deemed to belong to such political party;

(*ii*) in any other case, be deemed to belong to the political party of which he becomes, or, as the case may be, first becomes, a member before the expiry of six months from the date on which he takes his seat after complying with the requirements of article 99 or, as the case may be, article 188.

(2) An elected member of a House who has been elected as such otherwise than as a candidate set up by any political party shall be disqualified for being a member of the House if he joins any political party after such election.

(3) A nominated member of a House shall be disqualified for being a member of the House if he joins any political party after the expiry of six months from the date on which he takes his seat after complying with the requirements of article 99 or, as the case may be, article 188.

(4) Notwithstanding anything contained in the foregoing provisions of this paragraph, a person who, on the commencement of the Constitution (Fifty-second Amendment) Act, 1985, is a member of a House (whether elected or nominated as such) shall,—

(*i*) where he was a member of a political party immediately before such commencement, be deemed, for the purposes of sub-paragraph (1) of this paragraph, to have been elected as a member of such House as a candidate set up by such political party;

(*ii*) in any other case, be deemed to be an elected member of the House who has been elected as such otherwise than as a candidate set up by any political party for the purposes of sub-paragraph (2) of this paragraph or, as the case may be, be deemed to be a nominated member of the House for the purposes of sub-paragraph (3) of this paragraph.

3. **Disqualification on ground of defection not to apply in case of split.**—Where a member of a House makes a claim that he and any other members of his legislature party constitute the group representing a faction which has arisen as a result of a split in his original political party

and such group consists of not less than one-third of the members of such legislature party,—

(*a*) he shall not be disqualified under sub-paragraph (1) of paragraph 2 on the ground that he has voluntarily given up his membership of his original political party or has voted, or abstained from voting, in such House contrary to any direction issued by such party or by any person or authority authorised by such party in that behalf without obtaining the prior permission of such party, person or authority or has been expelled from such party; and

(*b*) from the time of such split, such faction shall be deemed to be the political party to which he belongs for the purposes of sub-paragraph (1) of paragraph 2 and to be his original political party for the purposes of this paragraph.

4. **Disqualification on ground of defection not to apply in case of merger:**—(1) A member of a House shall not be disqualified under sub-paragraph (1) of paragraph 2 where his original political party merges with another political party and he claims that he and any other members of his original political party—

(*a*) have become members of such other political party or, as the case may be, of a new political party formed by such merger; or

(*b*) have not accepted the merger and opted to function as a separate group,

and from the time of such merger, such other political party or new political party or group, as the case may be, shall be deemed to be the political party to which he belongs for the purposes of sub-paragraph (1) of paragraph 2 and to be his original political party for the purposes of this sub-paragraph.

(2) For the purposes of sub-paragraph (1) of this paragraph, the merger of the original political party of a member of a House shall be deemed to have taken place if, and only if, not less than two-thirds of the members of the legislature party concerned have agreed to such merger.

5. **Exemption.**—Notwithstanding anything contained in this Schedule, a person who has been elected to the office of the Speaker or the Deputy Speaker of the House of the People or the Deputy Chairman of the Council of States or the Chairman or the Deputy Chairman of the Legislative Council of a State or the Speaker or the Deputy Speaker of the Legislative Assembly of a State, shall not be disqualified under this Schedule,—

(*a*) if he, by reason of his election to such office, voluntarily gives up the membership of the political party to which he belonged immediately before such election and does not so long as he continues to hold such office thereafter, rejoin that political party or become a member of another political party; or

(*b*) if he, having given up by reason of his election to such office his membership of the political party to which he belonged immediately before such election, rejoins such political party after he ceases to hold such office.

6. **Decision on questions as to disqualification on ground of defection.**—(1) If any question arises as to whether a member of a House has become

subject to disqualification under this Schedule, the question shall be referred for the decision of the Chairman or, as the case may be, the Speaker of such House and his decision shall be final:

Provided that where the question which has arisen is as to whether the Chairman or the Speaker of a House has become subject to such disqualification, the question shall be referred for the decision of such member of the House as the House may elect in this behalf and his decision shall be final.

(2) All proceedings under sub-paragraph (1) of this paragraph in relation to any question as to disqualification of a member of a House under this Schedule shall be deemed to be proceedings in Parliament within the meaning of article 122 or, as the case may be, proceedings in the Legislature of a State within the meaning of article 212.

7. **Bar of jurisdiction of courts.**—Notwithstanding anything in this Constitution, no court shall have any jurisdiction in respect of any matter connected with the disqualification of a member of a House under this Schedule.

8. **Rules.**—(1) Subject to the provisions of sub-paragraph (2) of this paragraph, the Chairman or the Speaker of a House may make rules for giving effect to the provisions of this Schedule, and in particular, and without prejudice to the generality of the foregoing, such rules may provide for—

(*a*) the maintenance of registers or other records as to the political parties, if any, to which different members of the House belong;

(*b*) the officer of the House with whom, and the manner in which, the constitution, rules and regulations of such political parties and any amendments thereto and particulars of the functionaries or other authorities of such parties for the time being exercising the power to expel members thereof, may be filed;

(*c*) the reports which a political party shall furnish with regard to expulsion from, or admission to, such political party of any members of the House and the officer of the House to whom such reports shall be furnished; and

(*d*) the procedure for deciding any question referred to in sub-paragraph (1) of paragraph 6 including the procedure for any inquiry which may be made for the purpose of deciding such question.

(2) The rules made by the Chairman or the Speaker of a House under sub-paragraph (1) of this paragraph shall be laid as soon as may be after they are made before the House for a total period of thirty days which may be comprised in one session or in two or more successive sessions and shall take effect upon the expiry of the said period of thirty days unless they are sooner approved with or without modifications or disapproved by the House and where they are so approved, they shall take effect on such approval in the form in which they were laid or in such modified form, as the case may be, and where they are so disapproved, they shall be of no effect.

(3) The Chairman or the Speaker of a House may, without prejudice to the provisions of article 105 or, as the case may be, article 194, and to any other power which he may have under this Constitution direct that any wilful contravention by any person of the rules made under this paragraph may be dealt with in the same manner as a breach of privilege of the House.'.

STATEMENT OF OBJECTS AND REASONS

The evil of political defections has been a matter of national concern. If it is not combated, it is likely to undermine the very foundations of our democracy and the principles which sustain it. With this object, an assurance was given in the Address by the President to Parliament that the Government intended to introduce in the current session of Parliament an anti-defection Bill. This Bill is meant for outlawing defection and fulfilling the above assurance.

2. The Bill seeks to amend the Constitution to provide that an elected member of Parliament or a State Legislature, who has been elected as a candidate set up by a political party and a nominated member of Parliament or a State Legislature who is a member of a political party at the time he takes his seat or who becomes a member of a political party within six months after he takes his seat would be disqualified on the ground of defection if he voluntarily relinquishes his membership of such political party or votes or abstains from voting in such House contrary to any direction of such party or is expelled from such party. An independent member of Parliament or a State Legislature shall also be disqualified if he joins any political party after his election. A nominated member of Parliament or a State Legislature who is not a member of a political party at the time of his nomination and who has not become a member of any political party before the expiry of six months from the date on which he takes his seat shall be disqualified if he joins any political party after the expiry of the said period of six months. The Bill also makes suitable provisions with respect to splits in, and mergers of, political parties. A special provision has been included in the Bill to enable a person who has been elected as the presiding officer of a House to sever his connections with his political party. The question as to whether a member of a House of Parliament or State Legislature has become subject to the proposed disqualification will be determined by the presiding officer of the House; where the question is with reference to the presiding officer himself, it will be decided by a member of the House elected by the House in that behalf.

3. The Bill seeks to achieve the above objects.

NEW DELHI;
The 23rd January, 1985.

A. K. SEN.

BILL No. 18 OF 1985

A Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Punjab for the services of the financial year 1984-85.

BE it enacted by Parliament in the Thirty-fifth Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Punjab Appropriation Act, 1985.

Issue of Rs. 35,37,32,000 from and out of the Consolidated Fund of the State of Punjab for the financial year 1984-85.

2. From and out of the Consolidated Fund of the State of Punjab there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of thirty-five crores, thirty-seven lakhs and thirty-two thousand rupees towards defraying the several charges which will come in course of payment during the financial year 1984-85 in respect of the services specified in column 2 of the Schedule.

Appropriation.

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Punjab by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

THE SCHEDULE

(*See* sections 2 and 3)

1	2		3		
No. of Vote/ Appropriation	Services and purposes		Sums not exceeding		
			Voted by Parliament	Charged on the Consolidated Fund	Total
			Rs.	Rs.	Rs.
10	District Administration .	Revenue	2,00,00,000	.	2,00,00,000
11	Police	Revenue	2,80,21,000	.	2,80,21,000
12	Jails	Revenue	1,18,25,000	.	1,18,25,000
14	Miscellaneous Services .	Revenue	2,55,12,000	.	2,55,12,000
16	Education . . .	Revenue	1,77,54,000	*22,50,000*	2,00,04,000
18	Medical and Public Health	Revenue	50,00,000		50,00,000
19	Housing and Urban Development . .	Capital	4,44,45,000	*1,39,000*	4,48,84,000
20	Information and Publicity .	Revenue	18,00,000	..	18,00,000
24	Planning and Statistics .	Revenue	14,00,000	.	14,00,000
25	Co-operation . . .	Revenue	1,72,81,000	.	1,72,81,000
		Capital	29,24,000	..	29,24,000
26	Agriculture . . .	Revenue	3,38,60,000	*43,000*	3,39,03,000
		Capital	67,00,000	..	67,00,000
29	Animal Husbandry . .	Capital	8,00,000	..	8,00,000
31	Fisheries	Revenue	2,00,000	*49,000*	2,49,000
33	Community Development .	Revenue	18,02,000	.	18,02,000
34	Industries . . .	Revenue	64,40,000	..	64,40,000
		Capital	1,70,00,000	..	1,70,00,000
36	Roads and Bridges . .	Revenue	..	*65,000*	65,000
37	Road Transport . .	Capital	3,00,00,000	..	3,00,00,000
38	Multipurpose River Projects	Capital	.	*1,67,000*	1,67,000
39	Irrigation, Drainage and Flood Control . .	Capital	78,50,000	..	78,50,000
40	Buildings . . .	Revenue	2,00,00,000	..	2,00,00,000
		Capital	5,01,05,000	.	5,01,05,000
	Total .		35,07,19,000	*30,13,000*	35,37,32,000

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of articles 204(1) and 205 of the Constitution and the Proclamation issued under article 356 of the Constitution in respect of the State of Punjab on the 6th October, 1983 to provide for the appropriation out of the Consolidated Fund of the State of Punjab of the moneys required to meet the supplementary expenditure charged on the Consolidated Fund of the State of Punjab and the grants made by the Lok Sabha for expenditure of the Government of Punjab for the financial year 1984-85.

VISHWANATH PRATAP SINGH.

PRESIDENT'S RECOMMENDATION UNDER ARTICLE 207 OF THE CONSTITUTION OF INDIA

[Copy of letter No F. 4(13)-B(S)/85, dated the 14th January, 1985 from Shri Vishwanath Pratap Singh, Minister of Finance to the Secretary-General, Lok Sabha.]

The President, having been informed of the subject matter of the proposed Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Punjab for the services of the year ending on the 31st day of March, 1985, recommends under clauses (1) and (3) of article 207 of the Constitution read with clause (2) of article 205 thereof and the Proclamation dated the 6th October, 1983 issued under article 356, the introduction of the Punjab Appropriation Bill, 1985 in Lok Sabha and also the consideration of the Bill.

2. The Bill will be introduced in Lok Sabha after all the Supplementary Demands for Grants for 1984-85 have been voted.

SUBHASH C. KASHYAP,
Secretary-General.

PRINTED BY THE GENERAL MANAGER, GOVERNMENT OF INDIA PRESS, MINTO ROAD, NEW DELHI AND PUBLISHED BY THE CONTROLLER OF PUBLICATIONS, DELHI, 1985